

## Message Text

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PAGE 01 STATE 301789

65

ORIGIN EUR-12

INFO OCT-01 ISO-00 OES-05 OFA-01 L-03 CG-00 DOTE-00 EA-09

CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00

DLOS-04 PM-04 NSC-05 SP-02 SS-15 INR-07 PA-02 PRS-01

EB-07 COME-00 TRSE-00 H-02 JUSE-00 /080 R

DRAFTED BY EUR/WE:JLIMPRECHT:MJK

APPROVED BY EUR/WE - MR. BARBOUR

OES/OFA - MR. SCHOWENGERDT

L/OES- MR. BURTON

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FM SECSTATE WASHDC

TO AMEMBASSY MADRID IMMEDIATE

UNCLAS STATE 301789

E.O. 11652: N/A

TAGS: EFIS, SP

SUBJECT: SEIZURE OF SPANISH FISHING BOAT TEUCRO BY U.S.  
COAST GUARD.

REF.: FERGUSON-SCHOWENGERDT TELECON, DEC. 23

1. SPANISH FISHING TRAWLER TEUCRO, GI-4-1976, WAS SEIZED  
BY U.S. COAST GUARD LATE ON DECEMBER 17 IN POSITION  
38-43 NORTH, 73-06 WEST, ABOUT 90 MILES EAST OF CAPE  
MAY, NEW JERSEY, FOR VIOLATION OF 16 USC 1081, "RETAINING  
LOBSTER, A CREATURE OF THE U.S. CONTINENTAL SHELF", I.E.  
TAKING LOBSTER AND NOT RETURNING IT TO SEA.

2. TEUCRO WAS TAKEN TO NEWARK, N.J. FOR PROSECUTION BY  
U.S. ATTORNEY IN FEDERAL DISTRICT COURT. THERE ARE CRIMINAL  
CHARGES AGAINST THE MASTER AND CIVIL CHARGES AGAINST THE  
VESSEL. STATUTE PROVIDES FOR MAXIMUM CRIMINAL PENALTY  
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PAGE 02 STATE 301789

OF 100 THOUSAND DOLLARS AND/OR 1 YEAR IN JAIL AND MAXIMUM

CIVIL PENALTY OF FORFEITURE OF SHIP, CARGO, FISHING GEAR, ETC. US ATTORNEY HAS PROPOSED OUT OF COURT SETTLEMENT OF 150 THOUSAND DOLLARS TOTAL BOTH CIVIL AND CRIMINAL. MOST OTHER SETTLEMENTS HAVE RANGED FROM 125 THOUSAND TO 425 THOUSAND DOLLARS.

3. TEUCRO IS 133.8 FOOT TRAWLER, GROSS TONNAGE 539, NET 270, OF RECENT CONSTRUCTION, AND ESTIMATED VALUE APPROX. 1 MILLION DOLLARS.

4. ALTHOUGH TEUCRO IS FIRST SPANISH VESSEL SEIZED FOR CREATURE OF SHELF TYPE VIOLATION, A NUMBER OF FISHING VESSELS OF OTHER COUNTRIES HAVE BEEN SO SEIZED AND FINED: 1 SOVIET, 2 JAPAN, 1 BULGARIAN, 1 POLISH, 2 ITALIAN. BASIC RULES FOR ENFORCEMENT OF U.S. SOVEREIGN RIGHTS TO LIVING RESOURCES OF CONTINENTAL SHELF ARE CONTAINED IN CIRCULAR NOTE OF DECEMBER 5, 1974 AND STEM FROM 1958 GENEVA CONVENTION ON CONTINENTAL SHELF. SPAIN AND U.S. ARE BOTH PARTIES TO THE CONVENTION.

5. NO OTHER SPANISH VESSELS HAVE BEEN SEIZED OR DETAINED BY USG FOR VIOLATIONS OF FISHING LAWS OR ANY OTHER LAWS. SPANISH PRESS SEEMS TO HAVE CONFUSED OR MIXED TEUCRO CASE WITH REPORT OF DEC. 16 THAT THREE SPANISH VESSELS HAD DAMAGED OR CUT AT & T CABLE BETWEEN NORTH AMERICA AND EUROPE. THAT REPORT WAS BASED ON SIGHTING OF VESSELS BY CHARTERED AIRCRAFT IN VICINITY OF CABLE BREAKS OFF ATLANTIC COAST, BUT NO RPT NO ACTION HAS BEEN TAKEN, NOR IS ANY CONTEMPLATED, AGAINST THOSE VESSELS. SPANISH EMBASSY WAS NOTIFIED OF SIGHTING AT THAT TIME. KISSINGER

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## Message Attributes

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**Disposition Case Number:** n/a  
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**TAGS:** EFIS, SP, US  
**To:** MADRID  
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